**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**APPELLATE SIDE**

**CRIMINAL APPLICATION NO. 2762 OF 2007**

Dilip Rambhaji Dophe. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

Ms.Rekha Mehta for the applicant.

S.S.Pednekar, APP for the State.

**CORAM: V.C.DAGA, J.**

**DATED: 4th September 2007.**

**P.C.:**

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. Leave to amend prayer clause (a).

2. Heard learned counsel for the applicant and learned A.P.P. for the State.

3. Perused application and the material available on record.

4. The applicant is seeking bail in connection with C.R.No.I-55/2007 registered with the A.P.M.C.

Police Station, Navi Mumbai for the offences punishable under sections 170, 468, 471, 420 read with section 34 of Indian Penal Code.

5. The learned counsel for the applicant submits that one of the co-accused Chandrashekhar Kamlakar Dhabolkar is already granted bail by this Court vide order dated 10th August, 2007 passed in Criminal Application No.2474/2007 on the terms and conditions incorporated therein. She submits that the role of the applicant in the offence alleged is identical with that of Chandrashekhar Dhabolkar. I was also taken through the record available on record.

6. The learned A.P.P. submits that the applicant cannot claim parity with Chandrashekhar Dhabolkar. He sought to rely upon certain papers recovered from the applicant. However, the same would hardly be of any consequence so far as claim of parity set up by the applicant is concerned.

7. In the above view of the matter, I am inclined to grant bail to the applicant on parity, subject to the following conditions:

(a) The applicant, arrested in connection with C.R.No.I-55/2007 registered with A.P.M.C. Police Station, Navi Mumbai shall be enlarged

on bail in the sum of Rs.50,000/- with one or two local sureties to make up the said amount. Till the surety is arranged, applicant be released on cash security.

(b) The applicant shall report to the concerned Police Station once in a week, i.e. on every Saturday between 3.00 to 5.00 p.m. till conclusion of the trial.

(c) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the investigating officer.

(d) The applicant shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

(e) The applicant shall co-operate with the investigating agency for disposal of the case. It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

(f) Any observation made in this order shall not be construed as finding or expression on merits of the case at the time of trial.

7. Application stands disposed of accordingly.

. **JUDGE**